

Excerpts
 Planning Commission Minutes
 May 8, 2002

Application No. YVA-13-02, Debbie and Rogers Hamilton: Request for authorization, pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to establish a Bed and Breakfast establishment in an existing single-family detached home located at 114 Church Street in historic Yorktown.

Mr. Tim Cross, following a brief video presentation, summarized the staff report on this application in which staff recommended approval. Ms. White inquired about available parking space for bed and breakfast guests, and Mr. Cross noted that the existing driveway accommodates at least four automobiles and there is a two-car garage at the residence, as well. He added that off-street parking would be allowed but should not be necessary.

Chair Semmes opened the public hearing.

Mr. Rogers Hamilton, 114 Church Street, spoke in behalf of his application. He stated that he and Mrs. Hamilton would use the existing bedroom over the garage, originally built for his mother but never used, if all four bedrooms should be occupied by guests. Mr. Hamilton expected reservations to be made via their web site and telephone.

Mr. Eugene Marlin, 227 Church Street, supported approval. Mr. Marlin operate Marl Inn for five years until he sold it last year, he stated, and during the time he operated it there were a number of weekend guests. In endorsing approval of the application, Mr. Marlin cited page 71 of the Yorktown Master Plan, in which it recognized the appeal of bed and breakfast establishments for this area.

There were no others wishing to speak, and the Chair closed the public hearing.

Mr. Hendricks acknowledged that this type of business was recommended in the Comprehensive Plan and had been endorsed at Focus on Yorktown and other meetings as being compatible with the Yorktown historic area.

Ms. White expressed appreciation to the applicants for submitting their application.

PC02-13

On motion of Mr. Ptasznik, which carried 5:0 (Messrs. Heavner and Simasek absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO
 AUTHORIZE THE ESTABLISHMENT OF A BED AND BREAKFAST INN
 AT 114 CHURCH STREET

WHEREAS, Debbie and Rogers Hamilton have submitted Application No. YVA-13-02, pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to establish a bed and breakfast inn within an existing single-family detached dwelling on a 0.25-acre parcel of land located at 114 Church Street and further identified as Assessor's Parcel No. 18-1-29A; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 8th day of May, 2002, that Application No. YVA-13-02 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval, pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to establish a bed and breakfast inn within an existing single-family detached dwelling on a 0.25-acre parcel of land located at 114 Church Street and further identified as Assessor's Parcel No. 18-1-29A, subject to the following conditions:

1. This approval shall authorize the establishment of a bed and breakfast inn within a single-family detached dwelling on property located at 114 Church Street and further identified as Assessor's Parcel No. 18-1-29A. Rental of rooms shall be limited to overnight guests as opposed to long-term boarders. The owner's living quarters in the principal dwelling shall be the only dwelling unit permitted on the property.
2. The owners/operators of the bed and breakfast establishment shall reside on the premises and maintain the property primarily as a single-family residence with the bed and breakfast operation constituting an accessory use.
3. A site plan and building plans, prepared in accordance with Article V of the York County Zoning Ordinance and the Uniform Statewide Building Code shall be submitted to and approved by the York County Department of Environmental and Development Services prior to the establishment of the bed and breakfast operation. The plan shall describe the interior of the building in sufficient detail to determine compliance with parking, health, and building code requirements. In addition, all existing and proposed off-street parking areas shall be identified and installed according to specifications outlined in Article VI of the York County Zoning Ordinance. No off-site parking provisions shall be permitted.
4. One (1) freestanding, non-illuminated sign, not to exceed four (4) square feet in area, shall be permitted to identify the use.
5. The maximum occupancy of the bed and breakfast, not including the owners/operators, shall be four (4) adult guests if operated as a two-bedroom facility, six (6) adult guests if operated as a three-bedroom facility, or eight (8) adult guests if operated as a four-bedroom facility.
6. Retail sales on the premises shall not be permitted.

7. The bed and breakfast inn shall be operated in conformance with the performance standards set forth in Section 24.1-409 of the Zoning Ordinance.
8. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

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